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On 8/28/04

TOWNSEND and TOWNSEND and CREW LLP

By: Aaron Hokamura

Aaron Hokamura

PATENT
Docket No.: 019633-000127US
Client Ref. No.: NRC00072.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GILBERT and WAKARCHUK

Application No.: 10/820,536

Filed: April 7, 2004

For: NUCLEIC ACIDS ENCODING
SIALYLTRANSFERASES FROM C.
JEJUNI

Examiner:

Art Unit:

NOTIFICATION OF ERROR IN SMALL
ENTITY STATUS AND PAYMENT OF
DEFICIENCY OWED UNDER 37 CFR
§1.28(c)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application filed on April 7, 2004, originally claimed small entity status in good faith. However, it has recently been discovered that such status as a small entity was established in error. The following submission and itemization are believed to meet the requirements of 37 C.F.R. Sections 1.28(c)(1) and (c)(2) and MPEP Section 509.03(X). Therefore, Applicants respectfully request the deficiency payment be processed and the correct entity status be accorded to the application.



GILBERT and WAKARCHUK
Application No.: 10/820,836
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ITEMIZATION AND CALCULATION OF THE DEFICIENCY OWED

FILING DATE OF THE FEE	TYPE OF FEE	SMALL ENTITY FEE ACTUALLY PAID	(CURRENT) LARGE ENTITY FEE FOR ACTION	DEFICIENCY PAYMENT OWED
04/07/2004	Continuation Application Filing Fee	385	770	385

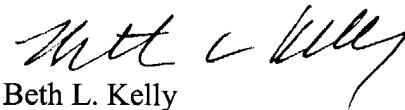
TOTAL DEFICIENCY PAYMENT OWED: \$385.00

Applicants hereby authorize the Commissioner to deduct the total deficiency owed of \$385.00 from Deposit Account No. 20-1430. Please deduct any additional fees due from, or credit any overpayment to, the above-noted Deposit Account.

Applicants understand that under 37 CFR §1.28(d), this submission is treated under §1.27(g) (2) as a notification of loss of entitlement to small entity status.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to telephone the undersigned at 415.576.0200.

Respectfully submitted,



Beth L. Kelly
Reg. No. 51,868

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